28.12.2007. Present: Mr.Ramakant Sharma, Advocate for the Appellant.

Mr.Ashok Chaudhary, Addl. A.G. for the Respondent No.1.

RSA.No.170 of 1996.

In terms of order dated 30th September, 1994 passed by Assistant Collector, Ist Grade, Kandaghat in Case No. 30/13-A of 1993 and also the order passed in Civil Appeal No. 17-S/14 of 1995 by District Judge , Solan, H.P., the claim of the appellant herein, stood rejected in view of the fact that the land in question stood vested in the State of Himachal Pradesh by virtue of the provisions of H.P. Village Common Lands Vested and Utilization Act, 1974 (hereinafter referred to as the Act).

During the course of the hearing, the learned counsel for the appellant submitted that in view of the amendment carried out in the said Act certain rights have accrued to him and in view of the same he seeks liberty to withdraw the present appeal and enforce his right in accordance with the amended Act before the appropriate authorities.

Without going into the merits of the contention raised by the learned counsel for the appellant, permission to withdraw the present appeal is granted. The appeal is dismissed as withdrawn. However, it is clarified that the appellant shall be entitled to enforce his right and remedy, if any, in accordance with the provisions of law.

(Sanjay Karol),J.

December 28, 2007(R)